



**EDENTON-CHOWAN  
PLANNING AND INSPECTIONS DEPARTMENT**

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**Chowan County Board of Adjustment  
Meeting**

December 2, 2003  
6:00 pm  
Commissioner's Room

Chairman Dan Ward called the meeting to order.

Roll call was taken: Dan Ward, and Johnny Forehand were present, joining by telephone were members Sheri Hare and Charles Britton. Staff member present was Planning Director Elizabeth Bryant.

**Case No. BOA-03-01**

An application from W. Dossey Pruden, for a Special Use Permit to place a mobile home on his property at 401/403 Soundside Road (Tax Parcel No. 7814-00-40-6565).

Ms. Bryant introduced the case before the Board. The A-1, Agricultural Zoning District is defined as a district with large, open land areas. The regulations of this district are designed to retain the open characteristics of the land. For that reason, the permitted uses are limited in number.

A mobile home is permitted in the A-1 Zoning District by Special Use Permit only. Mobile homes used as a dwelling must have at least 200 square feet of gross floor area, must be anchored to protect against wind damage, and must have sanitary facilities that are connected with sewer system approved by the Chowan County Health Department.

Ms. Bryant reminded the Board that in granting any Special Use Permit, the Board of Adjustment must have a concurring vote of three-fifths majority by the terms of the Chowan County Development Codes. The Board shall not grant Special Use Permits unless and until written findings are made. After review of the application, staff report, and information submitted at the hearing; the board must find that if the application is completed as proposed, it:

- 1) Will not endanger the public health or safety if located where proposed and developed according to the plan submitted and approved
- 2) Will meet all required conditions.
- 3) Will not adversely affect the use or any physical attribute of adjoining or abutting property, or the use is a public necessity.
- 4) Will be in harmony with the area in which it is located and in general conformity with the plan of development of Chowan County.

The Development Codes also note that the Board of Adjustment may issue the special use permit if it finds, in addition to the aforementioned findings in the case of an agricultural area exception for individual mobile homes for residential use, that:

1. Applicable health and sanitary requirements of this and other ordinances and laws are fully met;
2. The Mobile Home is situated on a lot meeting the A-1 yard area requirements and fronting on a public road;
3. The applicant for such certificate has agreed to relocate his mobile home within ninety days after any action rezoning his lot from A-1 Agricultural District.

Ms. Bryant noted that before granting a special use permit, the Board of Adjustment must take a separate vote and vote affirmatively on each of the aforementioned findings. A motion to make an affirmative finding on each of the requirements set forth shall include a statement of the specific reasons or findings of fact supporting each motion.

Chairman Ward spoke regarding the necessary findings of fact, and noted there must be a unanimous vote on each finding due to the limited number of Board members present. Chairman Ward then read the findings of fact and called for a motion and vote on each.

After review of the application and information submitted at the hearing; the Board found that the application is completed and it will not endanger the public health or safety; will not injure the value of adjoining or abutting property; will be in harmony with the area in which it is located; will be in conformity with the Land Use Plan, thoroughfare plan, or other plan officially adopted by the County Commission.

Having heard all the evidence and argument presented at the hearing, the Board of Adjustment finds that the application is complete, that the application complies with all the applicable requirements of the Chowan County Development Codes for the development proposed, and that therefore the application to make use of the above described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Development Codes.

The Board found that the application met the agricultural area exception requirements and made no other conditions on the application. Mr. Forehand made the motion to grant the permit as requested and submitted and Mr. Britton seconded. The motion passed unanimously.

Ayes

Dan Ward  
Johnny Forehand  
Charles Britton  
Sheri Hare

Nays

None

Being no other business, the meeting was adjourned.